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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EDITH MACIAS, individually and on
behalf of similarly situated
individuals; HOTON DURAN;
TIFFANY HUYNH; AURA MENDIETA;
WILLIAM LABOY; MIGUEL ACOSTA;
CRUZ ACOSTA; CUAUHEMOC
TORAL; and TERESA VILLEGAS,

Plaintiffs,

vs.

THOMAS J. TOMANEK; and
MARK GARIBALDI, individually
and doing business as THE
GARIBALDI COMPANY,

Defendants.

Case No. C07-3437 JSW

JOINT APPLICATION AND
STIPULATION TO AMEND BRIEFING
SCHEDULE ON DEFENDANTS'
MOTIONS TO DISMISS; [PROPOSED]
ORDER

CLASS ACTION

Hearing:

Date: January 12, 2008
Time: 9:00 a.m.
Room: Courtroom of the
Hon. Jeffrey S. White

Defendants Thomas J. Tomanek and Mark Garibaldi have filed motions to dismiss plaintiffs' first amended complaint. (Doc. ## 20, 22.) This Court has issued orders setting a briefing schedule on those motions. (Doc. ## 21, 24.) Currently, plaintiffs' opposition is due by no later than November 2, 2007, and defendants' replies are due on November 9, 2007.

By way of this application, the parties seek to amend the briefing schedule so that plaintiffs' oppositions are due on November 9, 2007, and defendants' replies are due on November 23, 2007. There is good cause to grant this application. Plaintiffs'

JOINT APPLICATION AND STIPULATION TO AMEND BRIEFING SCHEDULE ON
DEFENDANTS' MOTIONS TO DISMISS; [PROPOSED] ORDER; Case No. C 07-03437 JSW

1 counsel's firm has been in trial in Los Angeles since the week of October 8th. Trial was
2 expected to conclude this week, but now looks to continue into the beginning of the
3 week of October 29th. An additional week will give plaintiffs' counsel the time
4 necessary to prepare and file the oppositions. Accordingly, the parties request that the
5 Court issue an order amending the briefing schedule so plaintiffs' oppositions are due
6 on November 9, 2007, and defendants' replies are due on November 23, 2007.

7 SO STIPULATED.

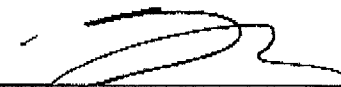
8 BRANCART & BRANCART

9 Dated: October 23, 2007

10 
11 Elizabeth Brancart
12 Attorneys for Plaintiffs

13 ALLMAN & NIELSEN, P.C.

14 Dated: October 23, 2007

15 
16 Sara B. Allman
17 Attorneys for Defendant
18 Thomas J. Tomanek

19 FARBSTEIN & BLACKMAN

20 Dated: October 23, 2007

21 John S. Blackman
22 Attorneys for Defendant
23 Mark Garibaldi and the
24 Garibaldi Company

25 * * *

26 IT IS SO ORDERED.

27 Dated: _____

28 Jeffrey S. White
United States District Judge

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2 expected to conclude this week, but now looks to continue into the beginning of the
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24 Mark Garibaldi and the
25 Garibaldi Company

26 * * *

27 **IT IS SO ORDERED.**

28 Dated: _____

Jeffrey S. White
United States District Judge